

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAYON BENSON,

Plaintiff,

v.

DELAWARE COUNTY, et al.,

Defendants.

CIVIL ACTION

NO. 21-2854

ORDER

AND NOW, this 28th day of November 2022, upon consideration of Defendants' Motion to Dismiss Benson's Second Amended Complaint (ECF 24) and Benson's Response (ECF 25), it is hereby **ORDERED** that Defendants' Motion is **GRANTED IN PART and DENIED IN PART**. Defendants' Motion is **DENIED** with respect to Count I, Count IV, and that part of Count II alleging Delaware County and the GEO Defendants failed to train staff and institute policies to address "gangs of prisoner[s] who were bullying, intimidating and threatening other pre-trial detainees/inmates." Defendants' Motion is **GRANTED** with respect to all other claims.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.